

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA**

<b>IN RE:</b>	)	
	)	
<b>AGRIPROCESSORS, INC.,</b>	)	<b>Chapter 7</b>
	)	
<b>Debtor.</b>	)	<b>Bankruptcy No. 08-2751</b>
	)	
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	)	
<b>JOSEPH E. SARACHEK, in his</b>	)	
<b>Capacity as Chapter 7 Trustee,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Adversary No. 10-09153</b>
	)	
<b>v.</b>	)	
	)	
<b>KOSHER COMMUNITY</b>	)	
<b>GROCERY, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Trial in the above-captioned matter was held on January 17, 2012.

Defendant failed to appear at trial. The Court entered an Order dated April 9, 2012, finding that while Plaintiff had proven that the transfers made to Defendant, from Debtor, between January 2007 and November 2008, were fraudulent transfers, there was a chance that Defendant had not received notice of all of the Court's orders. Due to the possibility that Defendant may not have received notice of the trial date, the Court directed the Clerk of Court to serve certain documents

on Defendant by three means. Defendant was granted fourteen (14) days from the date of the order to appear through counsel and defend the action. The Court specifically noted: “To be clear, failure to enter an appearance will result in judgment being entered in Trustee’s favor based on the evidence presented at the January 17, 2012 trial.” (4/9/12 Order, ECF Doc. # 23.) Further, the Court noted: “Failure to enter an appearance will result in judgment being entered in Plaintiff’s favor in the amount of \$11,416,799.69.” (Id.)

The time period set forth in the Court’s Order has expired. Defendant has not had counsel enter an appearance, nor has the Court received any communication from Defendant. Consequently, judgment will be entered in Plaintiff’s favor.

**WHEREFORE**, for the reasons set forth in the Court’s April 9, 2012 Order, judgment is entered in Plaintiff’s favor in the amount of \$11,416,799.69.

Dated and Entered: May 10, 2012

A handwritten signature in black ink, appearing to read "Thad J. Collins", is written over a horizontal line.

**THAD J. COLLINS**  
**CHIEF BANKRUPTCY JUDGE**